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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,255	02/02/2001	Robert W. Anthony	0550862-0013	9733

7590 02/14/2005

Orchid Sstems, Inc.
103 Old Colony Road
Wellesley, MA 02181

EXAMINER

MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

37 CFR § 1.105 - Requirement for Information

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

The information is required to identify products and services embodying the disclosed subject matter of performing data stream transformation projects as well as consulting thereof and identify the properties of similar products and services found in the prior art. In the specification, Applicant admits that data stream transformation projects are old and well-known. Furthermore, Applicant admits that qualifying a prospective customer by evaluating their existing system is old and well-known. The Examiner requests information regarding the details of how such an evaluation was typically performed prior to Applicant's invention. For example, how were data stream transformation projects planned and carried out? Also, how was the qualification of a prospect's projects previously performed (regardless of what type of project it was)? The attached article "Bluestone Welcomes a Dozen New ISV Partners to Code Blue Developers Program" was published more than one year prior to Applicant's earliest priority date of February 2, 2001 and it states that Orchid Systems, Inc. (the assignee of the instant application) joined Code Blue (¶ 1). Orchid Systems, Inc. "was founded in 1994 to develop wireless data systems" (¶ 16). This implies that Orchid Systems, Inc. has years of consulting experience, especially in helping customers design wireless data systems. The attached archived web site of Orchid Systems, Inc. (archived February 10, 1999) advertises "Wireless Solutions for Data Integration." The Examiner

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is particularly interested in the details of the underlying methodology that Orchid Systems, Inc. employed to assess their customers' wireless solution needs for data integration. For example, please explain how this methodology (employed more than one year prior to Applicant's filing date) compared to the claimed steps, regardless of whether or not the assignee performed these steps through use of technology (e.g., via phone, fax, or computer), entirely by hand, or a combination thereof.

2. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

3. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

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4. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 9, 2005


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600


SUSANNA M. DIAZ
PRIMARY EXAMINER
Au 3623